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7 Highway Patrol and Officer Ramon Silva

8   **UNITED STATES DISTRICT COURT**

9   **CENTRAL DISTRICT OF CALIFORNIA**

10 SANDRA KIRKMAN AND CARLOS ALANIZ,	Case No.: 2:23-cv-07532-DMG-SSC
11 INDIVIDUALLY AND AS SUCCESSORS-IN-INTEREST TO	**DECLARATION OF DAVID BLAKE IN SUPPORT OF MOTION FOR**
12 JOHN ALANIZ, DECEASED,	**SUMMARY JUDGMENT BY DEFENDANTS STATE OF**
13 Plaintiff,	**CALIFORNIA BY AND THROUGH CALIFORNIA HIGHWAY PATROL**
14 v.	**AND OFFICER RAMON SILA**
15 STATE OF CALIFORNIA; RAMON SILVA; AND DOES 1-10,	Date: February 21, 2025
16 INCLUSIVE,	Time: 3:00 p.m. Courtroom: 8C
17 Defendant.	Judge: Hon. Dolly M. Gee
18	Complaint Filed: July 28, 2023 Trial Date: April 15, 2025

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20   I, David Blake, declare as follows:

21   1.   I am over the age of 18 years, and I have personal knowledge of all

22 of the matters stated herein and, if called as a witness, I could competently testify

23 thereto.

24   2.   I am currently the owner/operator of Blake Consulting and Training,

25 where my focus is consulting on police use of force cases in which Digital Media

26 Evidence is involved and must be analyzed/interpreted in order to reconstruct an

27 incident and form opinions.

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3.   I received a PhD in Psychology (Performance) from Grand Canyon University (2020), a MSc. in Psychology from Kaplan University (2014), and a BSc in Criminal Justice Management (2010).

4.   I am serving as an expert witness for defendants in this matter. Among my other qualifications, I have over 180 hours of Digital Media Evidence (DME) training. The training received focused on methods of video recovery, authentication, analysis, and enhancement; as well as the potential bias created from standalone video review. I have written articles in both academic peer-review journals and professional periodicals on human capabilities and limitations in relation to video recordings. I have significant experience working with DME from body worn cameras and other sources. I have completed the coursework and met the qualifications to have received certification as a Forensic Video Technician from the Law Enforcement and Emergency Services Video Association (LEVA). In addition, I am an Amped-FIVE (Forensic Image and Video Evidence) certified examiner.

5.   In connection with my work on this case, among other material, I was provided with original footage from Officer Silva's Body Worn Camera (BWC) (denoted as: STATEOFCA007879 Axon Body 2 Video X81626525 2022-05-04 112520.MP4) and Officer Van Dragt's Mobile Video/Audio Recording System (MVARS) (denoted as DOJ00223.MP4).

6.   To aid in my testimony and opinions, I created exhibits from both the BWC and MVARS. The exhibits were created using a well-known and widely accepted forensic video application called AMPED-FIVE. The following files were created:

A.   **STATEOFCA007879 Axon Body 2 Video X81626525 2022-05-04 112520-241118141634.mp4.** To create this file, I created shortened sequences of Officer Silva's body worn camera recording and Officer Van Dragt's mobile video/audio recording system recording. The shortened sequences were then

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placed in a side-by-side format. After normalizing the videos for a frame rate discrepancy, I synched them together based on visual information (i.e., Silva raising his gun in frame 957). I added information identifying the frame number and elapsed time (hours:minutes:seconds:milliseconds). The synched video was exported using a visually lossless process.

B.   **SILVA BWC_FULL VERSION w ANNOTATION.mp4.** To create this file, I copied Officer Silva's original body worn camera video file and added information identifying the frame number and elapsed time (hours:minutes:seconds:milliseconds). The video file was then exported using a visually lossless process.

C.   **SILVA BWC_SEQUENCE w ANNOTATION.mp4.** To create this file, I copied Officer Silva's original body worn camera, shortened the length of the original video, and added information identifying the new frame number/time as well as the original video frame number/time. The video file was exported using a visually lossless process.

D.   **Folder: SILVA BWC_SEQUENCE_STABILIZED w ZOOM / PDF File: SILVA BWC_SEQUENCE_STABILIZED w ZOOM.pdf.** Using the BWC sequence, I cropped, zoomed and stabilized the video to produce a sequence of 24 frames (Bitmap images) capturing visual information intended to focus on Alaniz's hand/arm movement on the side of the roadway. The 24 frames were placed in the folder as individual images and compiled within a PDF file.

E.   **Folder: SILVA BWC_R HAND MOVEMENT / PDF File: ALANIZ_SIDE OF ROAD_ZOOM.pdf.** Using the BWC sequence, I cropped, zoomed and stabilized the video to render a "picture in picture" sequence of 12 frames (Bitmap images) capturing visual information intended to focus on Alaniz's hand/arm movement on the side of the roadway. The 12 frames were placed in the folder as individual images and compiled within a PDF file.

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F.   **Folder: SILVA BWC_SEQUENCE w ZOOM_SHOOTING STANCE / PDF File: SHOOTING STANCE.pdf.** Using the BWC sequence, I cropped, zoomed and stabilized the video to render a sequence of 16 frames capturing visual information intended to focus on Alaniz hand/arm movement (perceived as a shooting stance) just prior to and at the time of the shot. The 16 frames (00.bmp – 15.bmp) were placed in the folder as individual (Bitmap) images and compiled within a PDF file.

G.   **Folder: SILVA BWC_SEQUENCE w ZOOM_SHOOTING STANCE_CONTRAST ADJ / PDF File: SHOOTING STANCE_CONTRAST ADJ.pdf.** I Adjusted a portion of the above listed (16) frames for contrast/brightness. The adjustment was minimal and intended to provide additional details for the available visual information. The 9 adjusted frames (02SA.bmp – 10SA.bmp) were rendered and placed in the folder as individual (Bitmap) images and compiled within a PDF file.

7.   The video and PDF files I created are true and accurate representations of the original video images I was provided. They were prepared using reliable and widely accepted forensic software and techniques commonly used within the forensic video scientific community.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on ___1/15/2025___, 2025.

David M. Blake
David Blake, declarant

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